

ORDINANCE NO. 6733

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING  
TITLE 19 OF THE RIVERSIDE MUNICIPAL CODE REGARDING  
DEVELOPMENT REQUIREMENTS FOR PROBATIONER/PAROLEE  
HOMES.

The City Council of the City of Riverside, California does ordain as follows:

Section 1. Riverside Municipal Code, Chapter 19.04 Definitions, is hereby amended to  
include Section 19.64.040.

Section 19.04.026 Alcohol and drug free residential recovery home.

"Alcohol and drug free residential recovery home (sober living home)" means any residential  
structure or unit, which houses two or more persons, unrelated by blood, marriage, or legal  
adoption, in exchange for monetary or non-monetary consideration for persons who are recovering  
from problems related to alcohol, drug, or alcohol and drug misuse or abuse and the facility does not  
provide alcohol or drug recovery or treatment services on-site, thereby not requiring a license from  
the state.

Section 2. Riverside Municipal Code, Chapter 19.04 Definitions, is hereby amended to  
include Section 19.04.027.

Section 19.04.027 Alcohol and drug treatment facilities.

"Alcohol and drug treatment facilities" means any premises, place, or building that provides 24-hour  
residential non-medical services to two or more persons, unrelated by blood, marriage, or legal  
adoption, in exchange for monetary or non-monetary consideration, who are recovering from  
problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug,  
or alcohol and drug recovery treatment or detoxification services. A license from the State of  
California is required.

Section 3. Section 19.04.162 of the Riverside Municipal Code is amended in its entirety as  
follows:

Section 19.04.162. Group Housing.

"Group housing" means any living situation including motels and hotel buildings that are not for  
temporary use, that accommodates more than six unrelated individuals, and may include but not be  
limited to the following types of facilities: (1) licensed alcohol and drug treatment facilities; (2)  
licensed board and care homes for the elderly including convalescent or rest homes and nursing  
homes; (3) licensed homes for minor children; (4) licensed homes for mental patients; (5) licensed  
homes for the developmentally disabled; and (6) single-room occupancy (SRO) projects. Group  
housing would typically involve a living arrangement where either support services are provided to  
the occupants, where cooking, living or support sanitary facilities are shared in common between  
the occupants or where there is a formal program establishing rules of conduct and purpose of the  
facility.

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2       Section 4. Riverside Municipal Code, Chapter 19.04 Definitions, is amended to include  
3 Section 19.04.397.

4       Section 19.04.397 Parolee/Probationer.

5       "Parolee/Probationer" means an individual as follows:

- 6       1) convicted of a federal crime, sentenced to a United States federal prison, and received  
7       conditional and revocable release in the community under the supervision of a federal  
8       probation/parole officer;
- 9       2) who is serving a period of supervised community custody as defined by California State  
10      Penal Code Section 3000, following a term of imprisonment in a State prison, and is under  
11      the jurisdiction of the California Department of Correction, Parole and Community Services  
12      Division; or
- 13      3) an adult or juvenile individual sentenced to a term in the California Youth Authority and  
14      received conditional and revocable release in the community under the supervision of a  
15      Youth Authority parole officer.

16       Section 5. Riverside Municipal Code, Chapter 19.04 Definitions, is amended to include  
17 Section 19.04.398.

18       Section 19.04.398 Parolee/Probationer Home.

19       "Parolee/Probationer Home" means any residential structure or unit, whether owned and/or operated  
20       by an individual or for-profit or non-profit entity, which houses two or more parolees/probationers,  
21       unrelated by blood, marriage, or legal adoption, in exchange for monetary or non-monetary  
22       consideration given and/or paid by the parolee/probationer and/or any individual or public/private  
23       entity on behalf of the parolee/probationer, excluding parolees/probationers who reside in alcohol  
24       and/or drug free residential recovery homes as defined in 19.04.026.

25       Section 6: Section 19.04.477 of the Riverside Municipal Code is amended in its entirety as  
26       follows:

27       Section 19.04.477 Transitional shelter/housing.

      "Transitional shelter/housing" means residential accommodations for two or more persons unrelated  
by blood, marriage, or legal adoption, including support/counseling services for homeless  
individuals and/or families . The intent of this type of facility is to provide a stable environment for  
the homeless and to facilitate self-sufficiency. This type of facility typically involves a situation  
wherein the resident is accountable to the owner/operator for his location and conduct among other  
factors. The use of United States Department of Housing and Urban Development repossessed  
single-family residences for shelter purposes shall not be defined as "transitional shelter."

Section 7. Riverside Municipal Code, Chapter 19.07 Horse Ranch (HR Zone), Section

1 19.07.030, Uses permitted., is amended to include 19.07.030 Q.

2 Section 19.07.030 Uses permitted.

3 Q. Parolee/Probationer Home, as defined by section 19.04.398, transitional shelter  
4 housing, as defined by section 19.04.402, permanent emergency shelter, as defined by section  
5 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted with a  
6 minor conditional use permit for six or fewer parolees/probationers or occupants and with a  
7 conditional use permit for more than six parolees/probationers or occupants subject to the following  
8 standards:

9 1. Filing Requirements. The application for a minor conditional permit or a  
10 conditional use permit for a parolee/probationer home, transitional shelter housing, permanent  
11 emergency shelter and drop-in center shall include the following information:

- 12 a. Client profile (the subgroup of the population the facility is intended to serve  
13 such as single men, families, elderly, minor children, developmentally disabled, etc.);
- 14 b. Maximum number of occupants including support staff;
- 15 c. Proposed maximum stay for each parolee/probationer resident or occupant;
- 16 d. Support services to be provided on-site and projected staffing level, if any;
- 17 e. Site plan and floor plans; and
- 18 f. Rules of conduct and business management plan.

19 2. Site Location Criteria. In evaluating a proposed parolee/probationer home,  
20 transitional shelter housing, permanent emergency shelter and drop-in center the following criteria  
21 shall be considered:

- 22 a. Use is compatible with neighboring uses;
- 23 b. Establishment of the facility will not result in harm to the health, safety or  
24 general welfare of the surrounding neighborhood and substantial adverse impacts on adjoining  
25 properties or land uses will not result;
- 26 c. The facility shall be located along or near a major arterial with ready access to  
27 public transportation;
- 28 d. The facility shall be accessible to necessary support services;
- 29 e. In the case of homeless housing, establishment of the facility shall conform with  
30 the adopted County-wide comprehensive homeless plan and the City comprehensive homeless  
31 assistance plan;
- 32 f. To avoid over-concentration of parolee/probationer, transitional shelter  
33 housing, permanent emergency shelter and drop-in center facilities, there shall be a five-thousand-  
34 foot separation requirement as measured from the nearest outside building walls between the subject  
35 use and any other parolee/probationer housing, transitional shelter housing, permanent emergency  
36 shelter and drop-in center;

1 g. To avoid over-concentration of housing facilities, there shall be a one-thousand-  
2 foot separation requirement as measured from the nearest outside building walls between the subject  
3 use and any other group housing as defined in 19.04.162; and

4 h. In the case of the parolee/probationer home, it shall not be located within one-  
5 thousand-feet of a public or private school (pre-school through twelfth grade), universities, colleges,  
6 student housing, senior housing, child care facilities, public parks, or businesses licensed for on- or  
7 off-site sales of alcoholic beverages, as measured from any point on the outside walls of the  
8 parolee/probationer home to the nearest property line of the noted use.

9 3. Development Standards:

10 a. The facility should be compatible with the character of the surrounding  
11 neighborhood;

12 b. Sufficient on-site parking shall be provided. The precise number of parking  
13 spaces required will be determined based on the operating characteristics of the specific proposal;

14 c. Both indoor and outdoor open areas should be provided on site;

15 d. All setback standards of the underlying zone shall be met;

16 e. Signs as permitted in Chapter 19.76;

17 f. On-site staff supervision shall be required during all hours of facility operation;

18 g. Individual client stays shall not exceed one hundred eighty days; and

19 h. The facility's management shall participate in any formal residential crime  
20 prevention program (i.e., Crime Free Multi-Housing Program) provided by the City and as required  
21 under the conditional use permit. If the program offers certification then that certification shall be  
22 obtained and maintained in current status.

23 4. Variances. The Planning Commission or City Council may grant variance requests  
24 from the standards outlined in subdivisions 2 and 3 of this subsection.

25 5. Notification. All property owners within one-thousand-feet of the proposed facility,  
26 as measured from the subject property lines, shall be notified of the proposed minor conditional use  
27 permit or the conditional use permit.

6. Any existing parolee/probationer housing, transitional shelter housing, permanent  
emergency shelter and drop-in center must comply with these requirements, submitting for the  
required minor conditional use permit or the conditional use permit within sixty (60) days of the  
effective date of this ordinance and completing the minor conditional use permit or the  
conditional use permit within one hundred-and-eighty (180) days of the effective date of this  
ordinance.

a. An existing parolee/probationer home, transitional shelter housing, permanent  
emergency shelter and drop-in center in good standing may file a written request for an extension of

time of up to one year in which to file for the required minor conditional use permit or conditional use permit. Said written request shall include the reason for the request, including budgeting and/or securing filing fees, subject to confirmation and approval by the Planning Department. A filing extension may be granted by the Planning Department when it is verified that good faith efforts to budget and/or secure funds are made, financial hardship exists, and a favorable recommendation is obtained from the Police Department. The Police Department recommendation is based upon a review of calls for service and criminal history at the parolee/probationer home for the previous twelve (12) months. This subsection shall sunset and no longer be effective on the date that is two years after the effective date of this ordinance.

7. Any change in operating conditions from what was originally approved and imposed by the City, including, but not limited to, number of occupants or parolees/probationers or any modifications to the conditions of approval pursuant to the required minor conditional use permit or the conditional use permit shall require the immediate submittal of a request for revision of the required minor conditional use permit or conditional use permit.

8. An existing parolee/probationer home, transitional shelter housing, permanent emergency shelter and drop-in center established pursuant to any minor conditional use permit or conditional use permit discontinued for any period of time, excluding a maximum thirty day closure required to perform necessary repairs or restoration which does not increase the square footage of the residence, is deemed abandoned and any subsequent establishment of a parolee/probationer home, transitional shelter housing, permanent emergency shelter or drop-in center shall be required to first obtain a new minor conditional use permit or conditional use permit.

Section 8. Riverside Municipal Code, Chapter 19.08 Residential Agricultural (RA) Zone, Section 19.08.020, Uses permitted., is amended to include 19.08.020 U.

19.08.020 Uses permitted.

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U. In the RA and the RA-2 zones only, parolee/probationer home, as defined by section 19.04.398, transitional shelter housing, as defined by section 19.04.477, permanent emergency shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

Section 90. Riverside Municipal Code, Chapter 19.10 Residential-1 (R-1) Zone, Section 19.10.020, Uses permitted., is amended to include 19.10.020 W.

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W. Parolee/Probationer Home, as defined by section 19.04.398, transitional shelter housing, as defined by section 19.04.477, permanent emergency shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

Section 10. Riverside Municipal Code, Chapter 19.12 Residential-1 (R-2) Zone, Section 19.12.020, Uses permitted., is amended to include 19.12.020 O.

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1 O. Parolee/Probationer Home, as defined by section 19.04.398, transitional shelter  
2 housing, as defined by section 19.04.477, permanent emergency shelter, as defined by section  
3 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted in  
4 accordance with the provisions contained in Section 19.07.030 Q.

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6 Section 11. Riverside Municipal Code, Chapter 19.18 Rural Residential (RR) Zone, Section  
7 19.18.030, Uses permitted., is amended to include 19.18.030 W.

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9 W. Parolee/Probationer Home, as defined by section 19.04.398, transitional shelter  
10 housing, as defined by section 19.04.477, permanent emergency shelter, as defined by section  
11 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted in  
12 accordance with the provisions contained in Section 19.07.030 Q.

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14 Section 12. Riverside Municipal Code, Chapter 19.20 Restricted Office (RO) Zone, Section  
15 19.20.020, Uses permitted., is amended to include 19.20.020 P.

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17 P. Transitional shelter housing, as defined by section 19.04.477, permanent emergency  
18 shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this  
19 Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

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21 Section 13. Riverside Municipal Code, Chapter 19.28 Neighborhood Shopping Center (C-1)  
22 Zone, Section 19.28.020, Uses permitted., is amended to include 19.28.020 OO.

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24 OO. Transitional shelter housing, as defined by section 19.04.477, permanent emergency  
25 shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this  
26 Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

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28 Section 14. The Riverside Municipal Code, Chapter 19.30 Community Shopping Center (C-1-  
29 A) Zone, Section 19.30.020, Uses permitted., is amended to include 19.30.020 UUU.

30  
31 UUU. Transitional shelter housing, as defined by section 19.04.477, permanent emergency  
32 shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this  
33 Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

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35 Section 15. Riverside Municipal Code, Chapter 19.34 Restricted Commercial(C-2) Zone,  
36 Section 19.34.020 Uses permitted., is amended to include 19.34.020 N.

37  
38 N. Transitional shelter housing, as defined by section 19.04.477, permanent emergency

shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

Section 16. Riverside Municipal Code, Chapter 19.36 General Commercial (C-3) Zone, Section 19.36.020 Uses permitted., is amended to include 19.36.020 T.

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T. Transitional shelter housing, as defined by section 19.04.477, permanent emergency shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

Section 17. Riverside Municipal Code, Chapter 19.48 Light Manufacturing (M-1) Zone, Section 19.48.020 Uses permitted., is amended to include 19.48.020 K.

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K. Transitional shelter housing, as defined by section 19.04.477, permanent emergency shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

Section 18. Riverside Municipal Code, Chapter 19.50 General Manufacturing (M-2) Zone, Section 19.50.020 Uses permitted., is amended to include 19.50.020 O.

...

O. Transitional shelter housing, as defined by section 19.04.477, permanent emergency shelter, as defined by section 19.04.402 and drop-in center, as defined by section 19.04.108 of this Title, are permitted in accordance with the provisions contained in Section 19.07.030 Q.

Section 19. Riverside Municipal Code, Chapter 19.64 Conditional Use Permits and Variances, Section 19.64.040 S, is amended in its entirety as follows:

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S. Group housing as defined in Chapter 19.04. Conditional use permits for these facilities may be issued only in accordance with the following information:

1. Filing Requirements. The application for a conditional use permit for group housing shall include the following information:

a. Client profile (the subgroup of the population the facility is intended to serve such as single men, families, elderly, minor children, developmentally disabled, etc.);

b. Maximum number of occupants and hours of facility operation;

- 1 c. Term of client stay;
- 2 d. Support services to be provided on-site and projected staffing levels;
- 3 e. Rules of conduct and/or management plan.
- 4 2. Site Location Criteria. In evaluating a proposed group housing, the following criteria shall be considered:
- 5 a. No substantial adverse impacts on adjoining properties or land uses will result;
- 6 b. Adjacent development will not constitute a hazard to occupants;
- 7 c. Establishment of the facility will not result in harm to the health, safety or general
- 8 welfare of the surrounding neighborhood;
- 9 d. The facility shall be located along or near a major arterial with ready access to public transportation;
- 10 e. The facility shall be accessible to necessary support services;
- 11 f. To avoid over-concentration of facilities, there shall be a three hundred-foot
- 12 separation requirement as measured from the nearest outside building walls between any two
- 13 different or same types of group housing, transitional shelter, permanent emergency shelter or drop-in center except that the separation requirement shall be increased to one thousand feet as measured from the nearest outside building walls where the other use is a parolee/probationer home.
- 14 3. Development Standards.
- 15 a. The facility should be compatible with the character of the surrounding
- 16 neighborhood;
- 17 b. Sufficient on-site parking shall be provided. The precise number of parking spaces required will be determined based on the operating characteristics of a specific proposal;
- 18 c. Both indoor and outdoor open areas should be provided on site;
- 19 d. All setback standards of the underlying zone shall be met; and
- 20 e. A maximum twelve-square-foot sign shall be the only signing permitted.

21 Section 20. The City Clerk shall certify to the adoption of this ordinance and cause

22 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter

23 of the City of Riverside. This ordinance shall become effective on the 30<sup>th</sup> day after the date of its

24 adoption.



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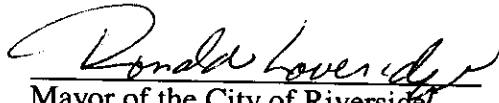
Attest:

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City Clerk of the City of Riverside

  
Mayor of the City of Riverside

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I, Colleen J. Nicol, City Clerk of the City of Riverside, California hereby certify that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 1<sup>st</sup> day of June, 2004, and thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 8<sup>th</sup> day of June, 2004, by the following vote, to wit:

15

Ayes: Councilmembers Betro, Moore, Gage, Schiavone, Hart and Adams

16

Noes: None

17

Absent: Councilmember Adkison

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Abstain: None

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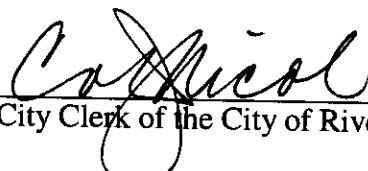
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IN WITNESS WHEREOF I have hereunto set my hand and affixed the official seal of the City of Riverside, California, this 8<sup>th</sup> day of June, 2004.

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City Clerk of the City of Riverside

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CA: 03-0087

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